

ENTERED

May 28, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

ROBERTO BAEZ CRUZ, JR.,
TDCJ # 02183125,

§

§

Plaintiff,

§

§

VS.

§ CIVIL ACTION NO. 3:19-117

§

WILLIAM STEPHENS, *et al.*,

§

§

Defendants.

§

ORDER

On March 20, 2019, state inmate Roberto Baez Cruz, Jr., filed a civil rights complaint in the Western District of Texas. The complaint was transferred to this Court on March 26, 2109 (Dkt. 4). On April 1, 2019, the Clerk sent Plaintiff a notice of deficient pleading instructing him to (1) either pay the filing fee of \$400 or submit an application to proceed *in forma pauperis* and (2) to submit an amended complaint on the Court's form (Dkt. 6). The notice warned Plaintiff that failure to comply within thirty days could lead to dismissal under Federal Rule of Civil Procedure 41(b). The Clerk supplied Plaintiff with the necessary forms.

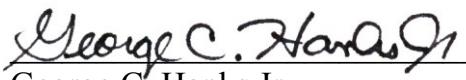
Plaintiff's deadline for compliance was May 1, 2019. To date, Plaintiff has not submitted the filing fee, an *in forma pauperis* application, or a form complaint. Under the inherent powers necessarily vested in a district court to manage its own affairs, the Court determines that dismissal for want of prosecution is appropriate. *See FED. R. CIV. P. 41(b); Gates v. Strain*, 885 F.3d 874 (5th Cir. 2018); *Nottingham v. Warden, Bill*

Clements Unit, 837 F.3d 438, 440–41 (5th Cir. 2016) (a district court may dismiss an action *sua sponte* for failure to prosecute an action or to comply with court orders).

The Court **ORDERS** that this case is **DISMISSED without prejudice**.

The Clerk will provide a copy of this order to the parties.

SIGNED at Galveston, Texas, this 28th day of May, 2019.



George C. Hanks Jr.
United States District Judge